

DAC  
A  
#12

PTO/SB/84 (11-03)  
Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

**Docket Number (Optional)**  
383/03634

First named inventor: Gideon P. STEIN

Application No.: 09/834,736

Art Unit: 3661

Filed: April 14, 2001

Examiner: PIPALA, Edward J.

Title: System and Method for Generating a Model of the Path of a Roadway from an Image Record

**RECEIVED**

**SEP 02 2004**

**OFFICE OF PETITIONS**

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1460  
Alexandria, VA 22313-1460  
FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity-fee \$ 665 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of Response to Office Action dated January 31, 2003 (Identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.  
SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9198 and select option 2

50/31/2004 HRLI11 00000043 033419 09834736

665.00 DA  
01 FC:2453

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/83).

4. **STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

August 19, 2004

Date

*Allan C. Entis*

Signature

Telephone  
Number:

(212) 521-5400

Allan C. ENTIS, Reg. No. 52,866

Typed or printed name

c/o Reed Smith LLP, 599 Lexington Avenue,

Address

29th Floor, New York, NY 10022-7650

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

**RECEIVED**

SEP 02 2004

**OFFICE OF PETITIONS**

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Date

Signature

Type or printed name of person signing certificate



383/03634 A01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gideon P. STEIN  
SERIAL NO: 09/834,736  
FILED: April 14, 2001  
FOR: SYSTEM AND METHOD FOR GENERATING A MODEL OF THE  
PATH OF A ROADWAY FROM AN IMAGE RECORDED BY A  
CAMERA  
ART UNIT: 3661  
EXAMINER: PIPALA, Edward J.

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
SEP 02 2004  
OFFICE OF PETITIONS

**PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED APPLICATION UNDER 37 C.F.R. §1.137(b)**

Sir:

Applicant hereby petitions the Commissioner under 37 C.F.R. §1.137(b) to revive the above-referenced application, on the basis that it was unintentionally abandoned.

**Enclosed herewith are the following:**

1. Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b);
2. A response to an Office Action dated January 31, 2003;
3. Petition fee of \$665.00 under 37 C.F.R. §1.17(m); and
4. Copy of Revocation of Existing Power of Attorney and New Power of Attorney (incl. copy of executed assignment) which is being filed concurrently

**REMARKS**

The subject application went abandoned for failure to respond to an Office Action mailed on January 31, 2003. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional.

383/03634 A01


The Office Action was originally mailed on January 31, 2003 and received by the present attorneys, who are listed on the Revocation of Existing Power of Attorney and New Power of Attorney, which is being filed concurrently. (See copy attached.)

Applicant respectfully petitions under 37 C.F.R. §1.137(b) that the application be revived and that the attached amendment be entered into the record of the file and an action on the merits thereof be established.

Enclosed is a transmittal letter authorizing deposit account payment for the petition fee.

Prompt consideration of this Petition is respectfully requested.

Respectfully submitted,  
Gideon P. STEIN

  
Allan C. ENTIS, Reg. No. 52,866

August 19, 2004  
William H. Dippert, Esq.  
Reed Smith LLP  
599 Lexington Avenue, 29<sup>th</sup> floor  
New York, NY 10022-7650

Tel: (212) 521-5400

**RECEIVED**

SEP 02 2004

**OFFICE OF PETITIONS**